DPS-46

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

NO. 05-2852

TYRONE P. JAMES, Appellant v.

YORK COUNTY POLICE DEPARTMENT; JAMES H. MORGAN, Agent/Investigator; DETECTIVE RICHARD PEDDICORD; RAYMOND E. CRAUL, Detective; SERGEANT GENE FELLS; DETECTIVE KESSLER, York County Drug Task Force; CORRECTIONAL OFFICER BAYLARK, York County Prison; RANDY SNIPES; BRIAN WESTMORLAND; DETECTIVE GLOWCZESKI

> On Appeal From the United States District Court For the Middle District of Pennsylvania (D.C. Civ. No. 01-cv-01015) District Judge: Honorable Yvette Kane

Submitted For Possible Dismissal Under 28 U.S.C. § 1915(e)(2)(B) or Summary Action Under Third Circuit LAR 27.4 and I.O.P. 10.6 November 10, 2005

Before: ROTH, FUENTES AND VAN ANTWERPEN, CIRCUIT JUDGES

JUDGMENT

This cause came on to be heard on the record from the United States District Court for the Middle District of Pennsylvania and was submitted for possible dismissal under 28 U.S.C. §1915(e)(2)(b) or summary action under Third Circuit LAR 27.4 and I.O.P. 10.6. On consideration whereof, it is now here

ORDERED AND ADJUDGED by this Court that the judgment of the District Court entered May 6, 2005, be, and the same is hereby affirmed. All of the above in accordance with the opinion of this Court.

ATTEST:

arie M. Waldra

DATED: December 8, 2005 7

Marcia M. Waldron, Clerk

Marcia M. Waldron Clerk

Certified as a true copy and issued in lieu of a formal mandate on 100000

Clerk, U.S. Court of Appeals for the Third Circuit